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10 UNITED STATES BANKRUPTCY COURT
11 EASTERN DISTRICT OF CALIFORNIA
12 FRESNO DIVISION

13 In re

Case No. 17-13797

14 TULARE LOCAL HEALTHCARE
15 DISTRICT, dba TULARE REGIONAL
MEDICAL CENTER,

Chapter: Chapter 9

DC No.: WW-41

16 Debtor.

Date: November 15, 2018

Time: 9:30 a.m.

Place: 2500 Tulare Street

Fresno, CA 93721

Courtroom 13

Judge: Honorable René Lastreto II

17 Tax ID #: 94-6002897
18 Address 869 N. Cherry St.
19 Tulare, CA 93274

20 STIPULATION TO (1) CONTINUE HEARING ON POTENTIAL ASSUMPTION OF MED
21 ONE CAPITAL FUNDING, LLC'S POTENTIAL ASSUMED CONTRACT AND
22 (2) SET DEADLINE FOR MED ONE CAPITAL FUNDING, LLC
TO OBJECT TO CURE AMOUNT

23 Tulare Local Healthcare District, dba Tulare Regional Medical Center (the
24 "District"), the debtor in the above-captioned case, and Med One Capital Funding, LLC
25 ("Med One") (Med One and the District are referred to herein, collectively, as "the
26 Parties"), hereby stipulate and agree to (1) continue the hearing on the potential
27 assumption and assignment of Med One's potential assumed contract, and (2) set forth
28

1 the deadline by which Med One must object to the cure amount for assumption and
2 assignment of its potential assumed contract, as set forth below.

3 **STIPULATED FACTS**

4 A. On September 30, 2017("Petition Date"), the District commenced its
5 Chapter 9 case.

6 B. This Court has jurisdiction over this matter pursuant to 28 U.S.C. § 157 and
7 1334. Venue is proper pursuant to 28 U.S.C. §§ 1408 and 1409. This is a core
8 proceeding under 28 U.S.C. § 157(b)(2).

9 C. This stipulation is entered into pursuant to 11 U.S.C. §§ 365 and 901 and
10 LBR 9019.

11 D. On July 20, 2018, the District filed its Motion for Authority to Enter Into
12 Transaction Including Borrowing Funds, Sales of Personal Property and Providing
13 Security, Assumption and Assignment of Contracts and Leases and for Authority to
14 Lease Real Property Pursuant to 11 U.S.C. Sections 105, 362, 364, 901 and 922, as
15 well as certain declarations and exhibits in support thereof [Dkt. 603; WW-41]
16 (collectively, the "Transaction Motion").

17 E. By the Transaction Motion, the District designates Med One as having at
18 least one "Potential Assumed Contract" ("Med One's Potential Assumed Contract") and
19 indicates that the amount of the District's default, which default the District must cure to
20 assume and assign Med One's Potential Assumed Contract under Section 365 of the
21 Bankruptcy Code, is "\$0.00" (the "Cure Amount").

22 F. On August 1, 2018, the District and Med One entered into and filed a
23 Stipulation to (1) Extend Deadline for Med One Capital Funding, LLC to Object to
24 Assumption and Assignment of Potential Assumed Contract; (2) Continue Hearing on
25 Potential Assumption of Med One Capital Funding, LLC's Potential Assumed Contract;
26 and (3) Preclude Assumption and Assignment of Med One Capital Funding, LLC's
27 Potential Assumed Contract Pending Resolution of Cure Amount. [Dkt. 658].
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1 G. On August 1, 2018, the Court entered an order approving the Parties'
2 stipulation, as a result of which, the hearing on assumption and assignment of Med
3 One's Potential Assumed Contract was continued to November 15, 2018, at 9:30 a.m.,
4 and the deadline for Med One to object to the Cure Amount was extended to a date to
5 be agreed upon by the Parties. [Dkt. 675].

6 H. The District and Med One continue to engage in negotiations regarding the
7 disposition of Med One's Potential Assumed Contract, including the Cure Amount.
8 Accordingly, the Parties wish to further continue the hearing on assumption and
9 assignment of Med One's Potential Assumed Contract and set forth the deadline by
10 which Med One must object to the Cure Amount required for assumption and
11 assignment of its potential assumed contract.

12 **STIPULATION AND AGREEMENT**

13 Subject to Court approval, the District and Med One hereby stipulate and agree
14 as follows:

- 15 1. The foregoing Stipulated Facts are incorporated herein by reference.
16 2. The hearing on assumption and assignment of Med One's Potential
17 Assumed Contract, which is currently scheduled for November 15, 2018, at 9:30 a.m.,
18 shall be continued to December 20, 2018, at 9:30 a.m.
19 3. The agreed upon deadline by which Med One must object to the Cure
20 Amount set forth in the Transaction Motion is December 10, 2018.

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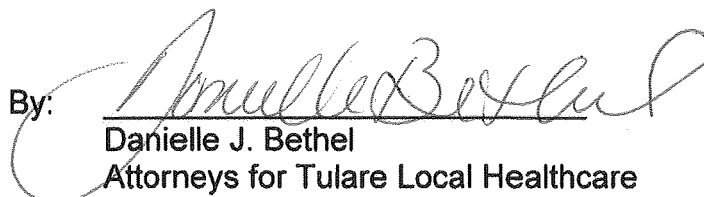
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4. The District shall not assume nor assign Med One's Potential Assumed Contract(s) absent a resolution of the Cure Amount and related issues by mutual consent of the Parties or by further order of the Court.

IT IS SO STIPULATED.


Dated: 11/2, 2018

WALTER WILHELM LAW GROUP

By: 
Danielle J. Bethel
Attorneys for Tulare Local Healthcare
District, dba Tulare Regional Medical
Center

Dated: November 2, 2018

DOWLING AARON INCORPORATED

By: 
Don J. Pool
Attorneys for Med One Capital Funding,
LLC